

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

YASMINE MAHONE, an individual, and )  
BRANDON TOLE, an individual, on behalf of )  
themselves and all others similarly situated, )

Plaintiffs, )

vs. )

AMAZON.COM, INC., a Delaware )  
corporation, AMAZON.COM SERVICES )  
LLC; a Delaware Limited Liability Company; )  
and AMAZON.COM.DEDC, LLC; a )  
Delaware Limited Liability Company; and )  
AMAZON.COM.KYDC, LLC, a Delaware )  
Limited Liability Company )

Defendants. )

**CASE NO. 2:22-CV-00594-MJP**

**PLAINTIFFS' MOTION TO SEAL  
UNREDACTED EXHIBITS 1-14 TO  
THE DECLARATION OF BRIAN J.  
LAWLER IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

**NOTE ON MOTION CALENDAR:  
FRIDAY, JANUARY 19, 2024**

1 Pursuant to Local Civil Rule 5(g) and the Protective Order issued by this Court on February  
2 14, 2023 (ECF No. 48), Plaintiffs YASMINE MAHONE and BRANDON TOLE (“Plaintiffs”)  
3 respectfully request the Court to Seal Exhibits 1-14 attached to the Declaration of Brian J. Lawler  
4 filed concurrently herewith in Support of Plaintiffs’ Motion for Class Certification, and previously  
5 marked as “Confidential” by Amazon.

6 Plaintiffs do not believe that any documents should need to be filed Under Seal, and believe  
7 the Only material properly designated a “Confidential” is any personal and financial information  
8 regarding any of Amazon’s current or former employees. In Plaintiffs’ view, Amazon has stated  
9 no basis to support the “Confidential” designation regarding any of the documents produced or of  
10 the deposition testimony so designated.

11 Over the past 30 days, Plaintiffs have met and conferred with all Amazon in an attempt to  
12 reach agreement on the need to file the document under seal, to minimize the amount of material  
13 filed under seal, and to explore redaction and other alternatives to filing under seal.

14 The Parties also met and conferred regarding a potential omnibus motion to seal on October  
15 9-10, 2003, to which the parties could not agree. On October 10, 2023, after technical difficulties  
16 with a planned conference call failed, Plaintiffs reiterated their request by email for Amazon to  
17 “identify the basis for sealing the specific confidential information at issue” pursuant to the  
18 Protective Order [Doc. 48] at Para. 4.3, which provides as follows:

19 Filing Confidential Material. Before filing confidential material or discussing or  
20 referencing such material in court filings, the filing party shall confer with the  
21 designating party, in accordance with Local Civil Rule 5(g)(3)(A), to determine  
22 whether the designating party will remove the confidential designation, whether the  
23 document can be redacted, or whether a motion to seal or stipulation and proposed  
24 order is warranted. During the meet and confer process, the designating party must  
25 identify the basis for sealing the specific confidential information at issue, and the  
26 filing party shall include this basis in its motion to seal, along with any objection to  
27 sealing the information at issue. Local Civil Rule 5(g) sets forth the procedures that  
must be followed and the standards that will be applied when a party seeks  
permission from the court to file material under seal. A party who seeks to maintain  
the confidentiality of its information must satisfy the requirements of Local Civil  
Rule 5(g)(3)(B), even if it is not the party filing the motion to seal.

Further, in compliance with the Meet and Confer Requirements of LRC 5(g)(1) Plaintiffs requested Amazon to withdraw the confidential designation on its productions or agree to redact any truly “Confidential” portions of a document (subject to Plaintiffs’ agreement) so that sealing is unnecessary.

Amazon responded on October 11, 2023 stating its position that the Protective Order defines “Confidential Material” much more broadly and allows for protection of the subject documents.

“‘Confidential’ material shall include the following documents and tangible things produced or otherwise exchanged: any personal, financial, or medical information, Testimony, and Documents of Defendants, Plaintiffs, and/or any current or former employees of Defendants, or other information that implicates the personal privacy of Plaintiffs, and/or any current or former employees of Defendants, proprietary business information, or competitively sensitive information, including Defendants’ military leave policy, Defendants’ human resources policies, metrics specific to Defendants’ operations management, and other Testimony, Documents or information that contain non-public, private or sensitive information that requires the protections provided in this Stipulation.” Dkt. 48 at § 2.2.

Amazon contends that many of the documents that it has produced (which include Exhibits 1-14 of the Lawler Declaration) and testimony provided by Amazon’s witnesses involves proprietary business operations information that Amazon intentionally does not release to the public. Amazon believes these materials have been properly designated.

DATED October 13, 2023

s/ Gene J. Stonebarger

Gene J. Stonebarger (*admitted hac vice*)

STONEBARGER LAW, APC

101 Parkshore Dr., Suite 100

Folsom, CA 95630

Tel: 916-235-7140

Email: gstonebarger@stonebargerlaw.com

WSBA 35815  
Daniel Kalish, Esq.  
HKM Employment Attorneys LLP  
600 Stewart Street, Suite 901  
Seattle, WA 98101  
Telephone: 206-838-2504  
Email: dkalish@hkm.com

Brian J. Lawler (admitted *pro hac vice*)  
PILOT LAW, P.C.  
4632 Mt. Gaywas Dr.  
San Diego, CA 92117  
Tel: 619-255-2398  
Email: blawler@pilotlawcorp.com

Kevin L. Wilson (admitted *pro hac vice*)  
KEVIN WILSON LAW PLLC  
3110 Horton Avenue  
Louisville, KY 40220  
Telephone: 502-276-5050  
Email: kevin@kwilsonlaw.com

*Counsel for Plaintiffs  
and the Proposed Putative Classes*

**CERTIFICATE OF SERVICE**

I certify that on October 13, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notification of the filing to all registered users of the CM/ECF system.

Dated: October 13, 2023

*s/ Gene J. Stonebarger*

Gene J. Stonebarger